

SENATE BILL NO. 106

BY SENATOR LUNEAU

1 AN ACT

2 To amend and reenact R.S. 37:21(A) and the introductory paragraph of 21(C), relative to
3 professional and occupational boards and commissions; to provide for suspension of
4 disciplinary proceedings; to provide for terms, conditions, and procedures; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 37:21(A) and the introductory paragraph of 21(C) are hereby
8 amended and reenacted to read as follows:

9 §21. Limitations on disciplinary proceedings by professional or occupational boards
10 and commissions

11 A.**(1)** Unless a special law is applicable, no proceeding of any kind may be
12 initiated by a professional or occupational board or commission as follows:

13 ~~(1)~~**(a)** If the nature of the complaint is based on negligence or gross
14 negligence, no proceeding may be initiated after two years from discovery by the
15 complainant. However, under no circumstances shall such a proceeding be initiated
16 more than five years from the date of the act or omission.

17 ~~(2)~~**(b)** If the nature of the complaint is based on an intentional act or
18 omission, no proceeding may be initiated after two years from discovery by the
19 complainant. However, under no circumstances shall such a proceeding be initiated
20 more than five years from the date of the act or omission.

21 ~~(3)~~**(c)** If the nature of the complaint is based on fraud, no proceeding may be
22 initiated after two years from discovery by the complainant.

23 ~~(4)~~**(d)** If the nature of the complaint is based on a license or rules violation,
24 no proceeding may be initiated after five years from the date of the act or omission.

